

**FILED**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

AUG 04 2008

MOLLY C. DWYER, CLERK OF COURT  
U.S. COURT OF APPEALS

VINCENT LEE ROSENBALM,

Plaintiff - Appellant,

v.

ED FOULK,

Defendant - Appellee.

No. 08-16573

D.C. No. 3:08-cv-02064-SI

Northern District of California,  
San Francisco

**ORDER**

A review of the district court docket reflects that appellant has not paid the docketing and filing fees for this appeal. Within 21 days from the date of entry of this order, appellant shall: (1) file a motion with this court to proceed in forma pauperis; (2) pay \$455.00 to the district court as the docketing and filing fees for this appeal and provide proof of payment to this court; or (3) otherwise show cause why the appeal should not be dismissed for failure to prosecute. If appellant fails to comply with this order, the appeal will be dismissed automatically by the Clerk under Ninth Circuit Rule 42-1.

FOR THE COURT:

Molly C. Dwyer  
Clerk of Court

By: Jennifer Jameson  
Deputy Clerk